0006

PRO/007/009
Mine file
Sage Point
Dugout Canyon

SUNEDCO COAL CO.
7401 W Mansfield Ave
Suite 418
Post Office Box 35B
Lakewood CO 80235
303 989 9280

RECEIVED
NOV 10 1986
DIVISION OF
OIL, GAS & MINING

November 3, 1986

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. L. P. Braxton
Administrator
Mineral Resource Development
and Reclamation Program
Utah Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, UT 84180-1203

RE: Mid-Permit Term Review
Sage Point-Dugout Canyon Mine
ACT/007/009

Dear Mr. Braxton:

In response to your September 19, 1986 letter, we are submitting permit document replacement pages for the subject mine permit. The submitted pages will entirely replace the following pages in this permit document:

Volume	Location in Document	Pages
1	Verification of Application	first page of document
1	Table of Contents	I-11 thru I-14
1	Section II-A thru Section II-F	I-15 thru I-43
	The insurance documents will not be replaced.	
1	Section II-G	I-44 thru I-45b
1	Subsection 4.1.3 - response submitted for stipulations UMC 817.43-.45(2) - DD and 817.121(1) - TNT	I-112A(3), I-126A and I-243
3	Surface ownership drawing Coal ownership	D03-0004 D03-0005

These page changes to the permit document should be sufficient to address your agencies concerns. If you need additional information, please contact me.

Very truly yours,

Charles W. Durrett
Manager, Environmental Affairs

CWD/ljm

Enclosures

VERIFICATION OF APPLICATION (UMC 771.27)

I, the undersigned, say:

I am an official of Sunoco Energy Development Co., a wholly-owned subsidiary of Sun Company, Inc., Applicant herein. I make this verification as such on behalf of Applicant.

I declare that the following information contained in this application is true and correct to the best of my knowledge, information and belief.

Executed this 3 day of November, 1986.

I. G. Northern
Vice President
Sunoco Energy Development Co.

Attest:

R. W. Williams
Secretary

Revised 11/3/86

PART II

LEGAL, FINANCIAL, COMPLIANCE AND RELATED INFORMATION

Table of Contents

		Page
A.	Identification of Interests (782.13)	I-15
1.	Identification of Applicant [782.13(a)(1)]	I-15
2.	Identification of Surface and Subsurface Owners [782.13(a)(2)]	I-15
3.	Identification of Leasehold Interests [782.13(a)(3)]	I-17
4.	Identification of Purchasers of Record Under Real Estate Contracts [782.13(a)(4)]	I-18
5.	Identification of Operator [782.13(a)(5)]	I-18
6.	Identification of Resident Agent of Applicant [782.13(a)(6)]	I-18
7.	Identification of Parent Company [782.13(b)]	I-19
8.	Identification of Officers of Applicant [782.13(b)(1)]	I-19
9.	Identification of Shareholders of Applicant [782.13(b)(2)]	I-20
10.	Applicant's Previous Coal Mining Experience [782.13(b)(3)]	I-20

Revised 11/3/86

Page

11. Identification of Other Owners [782.13(c)] I-21

12. Previous Coal Mining Permits [782.13(d)] I-21

13. Ownership of Areas Contiguous to Permit Area [782.13(e)] I-21

14. Mine Identification [782.13(f)] I-24

15. Pending Interests for Lands Contiguous to Permit Area [782.13(g)] I-24

B. Compliance Information [782.14(a)] I-25

C. Right of Entry and Operation Information (782.15) I-26

1. Federal Coal Leases I-27

2. State of Utah Coal Leases I-28

3. Fee Coal I-31

4. Surface Ownership I-33

D. Relationship to Areas Designated Unsuitable for Mining (782.16) I-40

E. Permit Term Information (782.17) I-41

F. Personal Injury and Property Damage Insurance Information (782.18) I-43

G. Identification of Other Licenses and Permits (782.19) I-44

		Page
H.	Identification of Location of Public Office for Filing of Application (782.20)	I-46
I.	Newspaper Advertisement and Proof of Publication (782.21)	I-47
J.	Correspondence	I-50

LIST OF TABLES

Table		After Page
II-A.1	Mine Permits List	I-22
II-E.1	Affected Surfaces from Underground Activities	I-42
II-G.1	List of Federal, State and Local Agencies whose Substantive Standards, Ordinances and Laws are Applicable to the Sage Point-Dugout Canyon Project	I-45

Revised 11/3/86

SECTION II-A
IDENTIFICATION OF INTERESTS
(782.13)

II-A.1 [782.13(a)(1)]

The permit Applicant for the Sage Point-Dugout Canyon Project is:

Sunoco Energy Development Co.
7401 West Mansfield Avenue
Suite 418
P. O. Box 35B
Lakewood, CO 80235
(303) 987-8720

II-A.2 [782.13(a)(2)]

The following parties are the legal and equitable owners of all areas (within the permit area) to be affected by surface facilities and operations:

Sunoco Energy Development Co. (the Applicant)

Sunedco Coal Co. Officers

Name	Office	Address
M. D. Wolfe	President	Elk River Resources, Inc. 4711 Old Kingston Pike Knoxville, TN 37919
I. G. Northern	Vice President and General Manager	Sunedco Coal Co. P. O. Box 35B Lakewood, CO 80235

Revised 11/3/86

Name	Office	Address
R. W. Williams	Secretary	Sunedco Coal Co.
S. G. Chadduck	Treasurer and Assistant Treasurer	Cordero Mining Co. P. O. Box 1449 Gillette, WY 82716
L. W. McLane	Assistant Treasurer	Cordero Mining Co.
W. Flammer	Assistant Secretary and Assistant Treasurer	Sun Company, Inc. 100 Matsonford Road Radnor, PA 19087

Carbon County
Carbon County Courthouse
Price, UT 84501

State of Utah
Department of Natural Resources
Division of State Lands

United States of America
Bureau of Land Management
U. S. Department of the Interior
Utah State Office

Map D03-0004 shows the areas of surface ownership.

Revised 11/3/86

The legal and equitable owners of record of the coal to be mined are:

Sunedco Coal Co.
Lakewood, CO

Bureau of Land Management
U. S. Department of the Interior
Utah State Office

State of Utah
Department of Natural Resources
Division of State Lands

See Map D03-0005 for the location of the coal owned by each of these three parties.

II-A.3 [782.13(a)(3)]

The holder of record of leasehold interest in areas to be affected by surface operations or facilities is the Applicant. The holders of record of leasehold interest in the coal to be mined are Sunedco Coal Co., the Bureau of Land Management and the State of Utah.

Principal Shareholders for leasehold interests:

For	Is	Whose Address Is
Applicant	Sun Company, Inc.	100 Matsonford Road Radnor, PA 19087
Sunedco Coal Co.	Wyoming Resources Corporation	4711 Old Kingston Pike Knoxville, TN 37919

Revised 11/3/86

Resident agents for leasehold interests:

Sunedco Coal Co. is affiliated with the Applicant and shares the same resident agent II-A.6.

The holders of record of leasehold interest in the coal to be mined are Sunedco Coal Co. whose officers are listed on the previous page, the United States of America and the State of Utah.

II-A.4 [782.13(a)(4)]

There are no purchasers of record under real estate contracts of areas to be affected by surface operations or facilities. There are no purchasers of record under a real estate contract of the coal to be mined.

II-A.5 [782.13(a)(5)]

The Applicant will operate the Sage Point-Dugout Canyon Project.

II-A.6 [782.13(a)(6)]

The resident agent of the Applicant who will accept service of process is:

C T Corporation System
170 South Main Street
Suite 150
Salt Lake City, UT 84101
(801) 364-1228

II-A.7 [782.13(b)]

The Applicant is a Delaware corporation with its principal office at 7401 West Mansfield Avenue, Suite 418, P. O. Box 35B, Lakewood, CO 80235 and registered to do business in Utah.

II-A.8 [782.13(b)(1)]

The names and addresses of the officers of the Applicant are as follows:

Officers	Office	Address
M. D. Wolfe	President	Elk River Resources, Inc. 4711 Old Kingston Pike Knoxville, TN 37919
I. G. Northern	Vice President and General Manager	Sunedco Coal Co. P. O. Box 35B Lakewood, CO 80235
R. W. Williams	Secretary	Sunedco Coal Co.
S. G. Chadduck	Treasurer and Assistant Treasurer	Cordero Mining Co. P. O. Box 1449 Gillette, WY 82716
L. W. McLane	Assistant Treasurer	Cordero Mining Co.
W. Flammer	Assistant Secretary and Assistant Treasurer	Sun Company, Inc. 100 Matsonford Road Radnor, PA 19087

Revised 11/3/86

II-A.9 [782.13(b)(2)]

The sole shareholder of the Applicant is:

Sun Company, Inc.
100 Matsonford Road
Radnor, PA 19087

II-A.10 [782.13(b)(3)]

Names under which principal shareholder operated underground or surface coal mining activities in the United States within the past five years:

Name	State
Clover Coal Company	Kentucky
Cordero Mining Co.	Wyoming
Cumberland Collieries	Virginia
Dominion Coal Corporation	Virginia
EAS Coal Company, Inc.	Kentucky
Greenwood Land and Mining Company	Kentucky
Jewell Coal and Coke	Virginia
Jewell Smokeless Coal Corporation	Virginia
Long Branch Equipment Co., Inc.	Kentucky
Oneida Coal Co.	West Virginia
Perry County Coal Corporation	Kentucky
*Plymouth Coal Company	Kentucky
	Tennessee
Prestonia Coal Company	West Virginia
Ray Coal Company	Kentucky
Shamrock Coal Company	Kentucky
*Sunedco Coal Co.	Wyoming
	Utah
*Sun Oil Company, a Delaware Corporation	Wyoming
	Utah

Revised 11/3/86

Sunoco Energy Development Co.	Utah
	Wyoming
*Sweetwater Coal Development Co.	Wyoming
Whitaker Coal Corporation	Kentucky
Wolf Creek Coal Company	West Virginia

*Indicates those companies that held coal interests but had not obtained a mining permit.

II-A.11 [782.13(c)]

The Applicant is a Delaware corporation. The names and addresses of principals and officers are listed under subsection 782.13(b)(1).

II-A.12 [782.13(d)]

Current or previously held coal mining permits or pending permit applications in the United States are presented in Table II-A.1.

II-A.13 [782.13(e)]

The owners of record of all surface and subsurface areas contiguous to the proposed permit area are shown on the maps D03-0004 and -0005. The names and addressses of surface and subsurface owners are:

TABLE II-A.1

MINE PERMITS LIST [782.13(d)]
(January, 1986)

Pending, current or previous surface coal mining permits in the United States held by Applicant or its Affiliates, with identification of the regulatory authority:

MINE	REGULATORY AUTHORITY	PERMIT NUMBERS	PERMIT NUMBERS
Cordero Mining Co.	Wyoming Department of Environmental Quality	237T-1 237T-2	WY-008
Clover Coal Company	Kentucky Department of Natural Resources and Environmental Protection	066-5026 066-5023 066-5022 066-5011 466-8000 266-0277 466-5011 466-5022 466-5023 466-5024 448-5070 448-8005	666-5032 048-5070 048-8000 266-0306 066-5024 266-5032 048-8005 266-0286
Cumberland Collieries	Virginia Division of Mined Land Reclamation	1100302	
Dominion Coal Corporation	Virginia Division of Mined Land Reclamation	3010-U 3158-U 3058-U 3119-U 3057-U 2404	1200354 1200241 1200153 1200240 1200194 3059-U
EAS Coal Company	Kentucky Department of Natural Resources and Environmental Protection	497-5002	

Revised 8/8/86

SC/E/2

TABLE II-A.1 (continued)

MINE	REGULATORY AUTHORITY	PERMIT NUMBERS	PERMIT NUMBERS
Greenwood Land and Mining Company	Kentucky Department of Natural Resources and Environmental Protection	516-0009	674-5005
		516-0020	874-8001
			116-0014
		516-0018	
			116-0008
		KY-009	116-0007
		KY-013	116-0016
		KY-015	274-5003
		KY-008	274-5004
Jewell Coal and Coke Company	Virginia Division of Mined Land Reclamation	1245	
Jewell Smokeless Coal Corp.	Virginia Division of Mined Land Reclamation	3310-AF	2890-U
		3339-AF	2867-U
		3356-AF	2950-U
		3336-AF	2952-U
		2964-U	2856-U
		3241-U	2892-U
		2988	2977-U
		1771	2900-U
		1395	2872-U
		1694	2897-U
		1510	2869-U
		1300427	3762-AF
		1300426	2963-U
		1300404	3778-AF
		1300640	3204-U
		1300120	333
		1300425	2980-U
		1100729	2865-U
		2896-U	
Long Branch Equipment Co., Inc.	Kentucky Department of Natural Resources and Environmental protection	013-5015	413-5015
		097-5072	

TABLE II-A.1 (continued)

MINE	REGULATORY AUTHORITY	PERMIT NUMBERS	PERMIT NUMBERS
Oneida Coal Co.	W. Virginia Reclamation Division	P-62-81 P-155-81	P-154-81
Perry County Coal Corporation	Kentucky Department of Natural Resources and Environmental Protection	697-5016	
Prestonia Coal Company	W. Virginia Reclamation Division	P-585 D-47-81 D-46-82	R-728 D-7-82 S-71-85
Ray Coal Company	Kentucky Department of Natural Resources and Environmental Protection	297-0450 097-5020 097-5041 097-8005 067-5049 097-5033 097-0079 097-5064 067-5064 097-5077 066-5100 097-0121 497-0079 697-0450 697-0352	697-0425 897-0017 466-5100 697-5056 467-5064 497-5041 497-5077 497-5020 467-5049 697-5055 897-0002 497-5033 497-5064 497-8005 697-0326
Shamrock Coal Company	Kentucky Department of Natural Resources and Environmental Protection	466-5079 466-8001 466-0075 866-0003 466-5060 466-8003 466-5077 466-5078 466-5028	KY-027 866-5008 KY-038 826-5004 866-5030 826-0008 866-5010 866-5021 066-5057

TABLE II-A.1 (continued)

MINE	REGULATORY AUTHORITY	PERMITS NUMBERS	PERMITS NUMBERS
		666-5071	
		697-8004	026-0132
		497-5070	
		697-0307	
		497-0065	266-0004
		KY-014	266-0290
		KY-029	266-5042
		466-0108	097-5000
		874-9002	097-5055
		916-5001	097-8003
		916-0005	066-5029
		916-0008	026-0014
		916-0004	026-0141
		266-5011	066-0075
		266-5044	066-8001
		266-5043	266-5071
		666-0306	066-5079
		826-5007	KY-031
		KY-039	066-5078
		066-0108	026-0201
		066-8003	066-5077
		866-5036	
Sunoco Energy Development Co.	Utah Division of Oil, Gas & Mining	ACT/007/009	
	U.S. Office of Surface Mining	UT-0041	
	Wyoming Department of Environmental Quality	237T-1	
Whitaker Coal Corporation	Kentucky Department of Natural Resources and Environmental Protection	867-5010	897-5025
		897-8001	897-5026
		897-0063	813-5006
		897-5021	897-5023
		897-5027	897-0191
		897-5028	897-8007
		867-5037	897-0185
		866-5025	897-0187
		897-5022	897-0188
		867-5038	897-0190
		897-5024	897-0186
		897-5013	897-0194

Revised 8/8/86

SC/E/2

TABLE II-A.1 (continued)

MINE	REGULATORY AUTHORITY	PERMITS NUMBERS	PERMITS NUMBERS
		Pending	
		866-0142	897-5014
		897-5016	897-0201
		897-8006	897-0189
Wolf Creek Coal Company	W. Virginia Reclamation Division	H-471	H-505
		I-449	I-482
		P-526	R-525
		UO-359	0-37-84
		UO-524	UO-620
		I-563	R-620

Surface:

Sunoco Energy Development Co. (Applicant)
7401 West Mansfield Avenue
Suite 418
P. O. Box 35B
Lakewood, CO 80235

Bureau of Land Management
U. S. Department of the Interior
Utah State Office

State of Utah
Division of State Lands and Forestry
Salt Lake City, UT

Subsurface:

Utah State Office
Department of Natural Resources
Division of State Lands & Forests
Salt Lake City, UT

Sunedco Coal Co.
7401 West Mansfield Avenue
Suite 418
P. O. Box 35B
Lakewood, CO 80235

Sunoco Energy Development Co.
7401 West Mansfield Avenue
Suite 418
P. O. Box 35B
Lakewood, CO 80235

Revised 11/3/86

United States of America
Bureau of Land Management
U. S. Department of Interior

II-A.14 [782.13(f)]

The name of the proposed operation is the Sage Point-Dugout Canyon Project. The Mine Safety and Health Administration has assigned mine identification numbers for the three mines inside the permit boundary.

These mines are identified as:

Name	MSHA I. D. Number
Gilson West Mine	42-01888
Gilson East Mine	42-01889
Rock Canyon West Mine	42-01890

II-A.15 [782.13(g)]

The Applicant's affiliate, Sunedco Coal Co., has interests in lands contiguous to the area covered by the proposed mine permit (Drawing D03-0004). Sunedco Coal Co. is a subsidiary of Utah Resources Corporation and holds coal lease interests in the State.

Sunedco Coal Co.
7401 West Mansfield Avenue
Suite 418
P. O. Box 35B
Lakewood, CO 80235

SECTION II-B
COMPLIANCE INFORMATION
[782.14(a) & (c)]

Neither the Applicant nor any of its subsidiaries, affiliates or persons controlled by or under common control with the Applicant has had a Federal or State mining permit suspended or revoked in the last five years nor forfeited a mining bond or similar security deposit in lieu of bond.

No notices of violation have been issued to the Applicant in connection with mining activities within the last three years.

SECTION II-C
RIGHT OF ENTRY AND OPERATION INFORMATION
(782.15)

Sunoco Energy Development Co. bases its right to enter and begin underground mining activities on a number of documents pertaining to coal leases and surface ownership in the permit area (Drawings D03-0004 and -0005). The Applicant is either lessee or owner in fee or has a working agreement with an affiliate that holds the lease for the coal to be mined. All surface facilities will be constructed on lands in the following categories:

Fee Ownership

Bureau of Land Management Rights-of-Way and Leases

Coal ownership is summarized on the following pages for the life of mine permit. Of those summarized, the areas designated on the next page will be within the 5-year term (Drawing D03-0005):

Ownership	Area T	& R	Sec.	Description	Acres
Federal lease					
U-07064-027821	13S	12E	23	E/½NE/¼,SE/¼,NE/¼SW/¼	
			26	N/½/NE/¼	360
State lease					
ML-42648	13S	12E	9	S/½SE/¼	
			10	S/½	
			11	S/½	
			14	All	
			15	All	
			21	NE/¼	
			22	N/½,N/½S/½	
			23	W/½NW/¼	2,720
SUNEDCO	13S	12E	16	E/½	
			23	E/½NW/¼,W/½NE/¼	480
			TOTAL		3,560

The coal leases, supporting documents, warranty deeds and a surface consent agreement to conduct underground mining are summarized below.

Revised 11/3/86

1. Federal Coal Lease

Lease No. U-07064-027821

Effective Date: January 1, 1957

Lessee: Sunoco Energy Development Co.

Lands covered by Lease:

T. 13., R. 12 E., Carbon County, Utah

Sec. 13: S½

Sec. 23: E½E½, W½SE¼, NE¼SW¼

Sec. 24: All

Sec. 25: N½N½

Sec. 26: N½NE¼

T. 13 S., R. 13 E., Carbon County, Utah

Sec. 18: Lots 3, 4, E½SW¼, SE¼

Sec. 19: Lots 1, 2, 3, 4, E½W½, NE¼, NE¼SE¼

Sec. 30: Lot 1

Containing: 2,416.14 acres

Supporting Documents:

1.1 Assignment of lease U-07064-027821 from Kennecott Coal Co. to Eureka, January 2, 1979, approved effective June 1, 1979, by BLM.

1.2 Assignment of Lease U-07064-027821 from Eureka to SUNEDCO March 4, 1982, approved effective June 1, 1982, by BLM.

2. <u>State of Utah Coal Leases</u>

2.1 Lease No. ML-22590

Date of Lease: January 25, 1965

Lessee: Sunoco Energy Development Co.

Lands covered by Lease:

T. 13 S., R. 12 E., Carbon County, Utah

Sec. 2: Lots 1, 2, 3, 4, S½ (All)

Containing: 375.52 acres

Supporting Documents:

2.1.1 Assignment of Lease ML-22590 from Heiner Coal Co. to PG&E August 2, 1976, approved August 9, 1976, by Utah Division of State Lands.

2.1.2 Assignment of Lease ML-22590 from PG&E to Eureka December 8, 1978, approved January 8, 1979, by Utah Division of State Lands.

2.1.3 Assignment of Lease ML-22590 from Eureka to SUNEDCO March 4, 1982, approved March 22, 1982, by Utah Division of State Lands.

2.2 Lease No. ML-42648

Date of Lease: October 11, 1985

Lessee: Sunedco Coal Co.

Land covered:

Lands described below are only a portion of the entire lands held by this lease.

<u>T. 13 S., R. 12 E., SLB&M</u>

Sec. 9: S/½SE/¼

Sec. 10: S/½

Sec. 11: S/½

Sec. 14: All

Sec. 15: All

Sec. 21: NE/¼

Sec. 22: N/½,N/½S/½

Sec. 23: W/½NW/¼

Containing: 2,720 acres

Revised 11/3/86

Supporting Documents:

2.2.1 Federal Coal Lease U-089096 issued July 1, 1962, was converted to State ownership (ML-42648) in the In-Lieu Land Transfer on October 11, 1985, approved by Utah Division of State Lands on October 11, 1985.

2.2.2 Working agreement established between the Applicant and Sunedco Coal Co.

2.3 Lease No. ML-42649

Date of Lease: October 11, 1985

Lessee: Sunedco Coal Co.

Lands covered:

Lands described below are only a portion of the entire lands held by this lease:

T. 13 S., R. 12 E., SLB&M

Sec. 3: All

Sec. 9: S/½SE/¼

Sec. 10: N/½

Sec. 11: N/½

Containing: 1,193.92 acres

Revised 11/3/86

Supporting Documents:

2.3.1 Federal Coal Lease U-0144820 issued September 1, 1966, was converted to State ownership (ML-42649) in the In-Lieu Land Transfer on October 11, 1985, approved by Utah Division of State Lands on October 11, 1985.

2.3.2 Working agreement established between the Applicant and Sunedco Coal Co.

3. Fee Coal

3.1 Parcel 1 - Known as "Fish Creek Canyon" Fee Coal

Owner in fee: Sunoco Energy Development Co.

Lands covered:

T. 13 S., R. 12 E., Carbon County, Utah

Sec 16: All

Containing: 640.00 acres

Supporting Documents:

3.1.1 Assignment of fee coal lease: (dated August 6, 1963, between Harry and Ourania Mahleres and Sam and Litsa Sampinos as lessors and Heiner Coal Co. as lessee) from Heiner Coal Co. to PG&E, August 3, 1976.

3.1.2 Assignment of fee coal lease: (dated August 6, 1963, between Harry and Ourania Mahleres and Sam and Litsa Sampinos as lessors and Heiner Coal Co. as lessee) from PG&E to Eureka, December 19, 1978.

3.1.3 Conveyance by Warranty Deed of one-half interest in mineral rights from John Mahleres and Nick Mahleres, et al. to Eureka on January 15, 1980.

3.1.4 Conveyance by Warranty Deed of surface and one-half interest in mineral rights from John Sampinos et al. to Eureka on August 18, 1980.

3.1.5 Conveyance by Warranty Deed of surface and mineral rights from Eureka to SUNEDCO on March 4, 1982.

3.2 Parcel 2 - Known as "Dugout Canyon" Fee Coal

Owner in fee: Sunoco Energy Development Co.

Lands covered:

T. 13 S., R. 12 E., Carbon County, Utah

Sec. 23: W½NE¼, E½NW¼

Containing: 160.00 acres

Supporting Documents:

3.2.1 Conveyance by Warranty Deed from Kennecott Coal Co. to Eureka on January 2, 1979.

3.2.2 Conveyance by Warranty Deed from Eureka to SUNEDCO on March 4, 1982.

4. Surface Ownership

Surface ownership for the life of mine permit are summarized on the following pages. Of those, the following ownerships are included in the 5-year term permit (Drawing D03-0004):

Owner	Location T	&	R	Sec	Description	Acres
Sunedco	13S		12E	10	S½	320
				11	S½	320
				15	All	640
				14	All	640
Sunedco	13S		12E	9	S½SE¼	80
				16	E½	320
				23	E½NW¼,W½NE¼	160
State (Lease)						
ML-42648				21	NE¼	160
				22	N½,N½SW¼,N½SE¼	570
				23	W½NW¼	80
Federal (Lease)						
U-07064-027821				23	E½NE¼,SE¼,NE¼SW¼	280
				26	N½NE¼	

Revised 11/3/86

Owner	Location T	& R	Sec	Description	Acres
Federal (Lease)					
U-52808	13S	12E	22	E½NE¼SE¼SW¼, E½SW¼SE¼SW¼, SE¼SE¼SW¼, S½SE¼	100
			23	NW¼SW¼	40
			27	NW¼, NW¼NE¼, N½SW¼ N½S½SW¼	320
			28	SE¼NW¼NW¼, S½N¼NE¼, S½NE¼, N½N½SE¼, NE¼NE¼SW¼	280
				SUBTOTAL	4,390
Road (County)*	14S	11E	24	Commence at Soldier Creek Road SE¼SW¼NW¼	
thence NE thru			3		
	14S	12E	18		
			17		
			8		
			5		
			4		
			3		
	13S	12E	34		
and ending in			27	SW¼SE¼SW¼	
for a distance of 7 miles with 100-foot width					84.94
			APPROXIMATE TOTAL		4,474.90

*legal description amplified within text

Revised 11/3/86

4.1 Owner: Sunoco Energy Development Co.

Lands covered:

T. 13 S., R. 12 E., Carbon County, Utah

Sec. 23: W½NE¼, E½NW¼

Supporting Documents:

4.1.1 Conveyance by Warranty Deed from Kennecott Coal Co. to Eureka on January 2, 1979.

4.1.2 Conveyance by Warranty Deed from Eureka to SUNEDCO on March 4, 1982.

4.2 Owner: Sunoco Energy Development Co.

Land covered:

T. 13 S., R. 12 E., Carbon County, Utah

Sec. 2: Lots 1, 2, 3 and 4 and S½

Supporting Documents:

4.2.1 Conveyance by Warranty Deed from John and Bessie Mahleres to PG&E, January 15, 1980.

4.2.2 Conveyance by Warranty Deed from PG&E to Eureka, March 25, 1980.

4.2.3 Conveyance by Warranty Deed from Eureka to SUNEDCO, March 4, 1982.

Revised 11/3/86

4.3 Owner: Sunoco Energy Development Co.

Lands covered:

T. 13 S., R. 12 E., Carbon County, Utah

Sec. 3: Lots 1, 2, 3 and 4 and S½

Sec. 10: All

Sec. 11: All

Sec. 14: All

Sec. 15: All

Supporting Documents:

4.3.1 Conveyance by Warranty Deed from Nick Mahleres *et al*. to PG&E, January 15, 1980.

4.3.2 Conveyance by Warranty Deed from PG&E to Eureka, March 25, 1980.

4.3.3 Conveyance by Warranty Deed from Eureka to SUNEDCO March 4, 1982.

4.4 Owner: Sunoco Energy Development Co.

Lands covered:

T. 13 S., R. 12 E., Carbon County, Utah

Sec. 16: All

Supporting Documents:

4.4.1 Conveyance by Warranty Deed from John Sampinos *et al*. to Eureka, August 18, 1980.

4.4.2 Conveyance by Warranty Deed from Eureka to SUNEDCO March 4, 1982.

4.5 Owner: Sunoco Energy Development Co.

Lands covered:

T. 13 S., R. 11 E., Carbon County, Utah

Sec. 25: W½NE¼

T. 13 S., R. 12 E., Carbon County, Utah

Sec. 29: W½, W½E½

Sec. 30: Lots 1 and 2, E½SW¼

Sec. 31: NE¼NW¼

Supporting Documents:

4.5.1 Conveyance by Warranty Deed from LaRue Lane *et al*. to SUNEDCO, November 17, 1982.

4.6 Consentor: U. S. Government

Consentee: Sunoco Energy Development Co.

Term: Lease U-52808

Lands covered:

<u>T. 13 S., R. 12 E., Carbon County, Utah</u>

Sec. 22: E½NE¼SE¼SW¼, E½SW¼SE¼SW¼, SE¼SE¼SW¼, S½SE¼

Sec. 23: NW¼SW¼

Sec. 27: NW¼, NW¼NE¼, N½SW¼, N½S½SW¼

Sec. 28: S½N½NE¼, S½NE¼, SE¼NW¼NW¼, N½N½SE¼, NE¼NE¼SW¼, S½NW¼, S½NE¼NW¼

Containing: 740.0 acres

Supporting Documents:

4.6.1 Assignment of federal surface lease U-52808 to SUNEDCO on January 3, 1984, by the U. S. Department of the Interior, Bureau of Land Management.

4.7 Consentor: Carbon County

Consentee: Sunoco Energy Development Co.

Term: Life of Mine

Lands covered:

The following legal description is intended to describe a strip of land on each side of the center line of the road; on all curves the right-of-way (R.O.W.) width describes two side lines which are parallel and concentric throughout the curved portions of the road, except in some areas, this R.O.W. width may vary along said curve portions and at the tangents the R.O.W. may vary in width with the side lines varying in width as described in the legal description. For permit purposes the R.O.W. is considered to be 100 feet wide.

Revised 11/3/86

Dugout Canyon County Road

Beginning at a point which is N 84°52'10" E 923.08 ft. from the West ¼ Corner of Section 24, T. 14 S., R. 11 E., S.L.B. & M., (Grid Bearing from the West ¼ Corner of Section 24 to the Southwest Corner of Section 24 said Township and Range is S 00°54'43" W); said point is the beginning of Dugout Canyon Road and Engineer's Station (Engr. Sta.) 10+00. At Engr. Sta. 10+00 the Right-of-Way (R.O.W.) width is 50 ft. left and 85 ft. right of center line;

Thence N 65°50'52" E to the Point of Curvature (P.C.) and Engr. Sta. 13+4.94 with R.O.W. of 50 ft. left and 85 ft. right of center line;

Thence along a curve to the left with a radius of 1145.916 ft. and a central angle of 46°27'23" to Engr. Sta. 14+00 with R.O.W. of 50 ft. right of center line;

Thence continuing along said curve to the Point of Tangency (P.T.) and Engr. Sta. 22+34.07 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 19°23'29" E to the P.C. and Engr. Sta. 27+93.81 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence along a curve to the right with a radius of 818.511 ft. and a central angle of 34°41'05" to the P.T. and Engr. Sta. 32+89.31 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 54°04'34" E to the P.C. and Engr. Sta. 39+87.79 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence along a curve to the left with a radius of 2291.831 ft. and a central angle of 19°20'56" to the P.T. and Engr. Sta. 47+61.75 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 34°43'38" E to the P.C. and Engr. Sta. 48+00.42 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence along a curve to the right with a radius of 1432.395 ft. and a central angle of 36°40'05" to the P.T. and Engr. Sta. 57+17.12 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 71°23'43" E to Engr. Sta. 60+00.00 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 71° 23'43" E to Engr. Sta. 61+00.00 with R.O.W. of 50 ft. left and 60 ft. right of center line;

Thence N 71°23'43" E to the P.C. and Engr. Sta. 67+25.05 with R.O.W. of 50 ft. left and 60 ft. right of center line;

Thence along a curve to the left with a radius of 1909.859 ft. and a central angle of 25°52'49" to Engr. Sta. 73+00.00 with R.O.W. of 50 ft. left and 60 ft. right of center line;

Thence continuing along said curve to Engr. Sta. 74+00.00 with R.O.W. of 75 ft. left and 85 ft. right of center line;

Thence continuing along said curve to the P.T. and Engr. Sta. 75+87.73 with R.O.W. of 60 ft. left and 50 ft. right of center line;

Thence N 45°30'54" E to the P.C. and Engr. Sta. 81+58.90 with R.O.W. of 60 ft. left and 50 ft. right of center line;

Thence along a curve to the right with a radius of 2291.831 ft. and a central angle of 16°15'00" to Engr. Sta. 83+00 with R.O.W. of 60 ft. left and 80 ft. right of center line;

Thence continuing along said curve to the P.T. and Engr. Sta. 88+08.90 with R.O.W. of 60 ft. left and 80 ft. right of center line;

Thence N 61°45'54" E to Engr. Sta. 89+00.00 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 61°45'54" E to the P.C. and Engr. Sta. 104+95.48 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence along a curve to the right with a radius of 1637.022 ft. and a central angle of 19°57'47" to Engr. Sta. 109+00.00 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence continuing along said curve to the P.T. and Engr. Sta. 110+65.85 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence N 81°43'41" E to the P.C. and Engr. Sta. 112+76.01 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence along a curve to the left with a radius of 818.511 ft. and a central angle of 40°23'16" to Engr. Sta. 114+00 with R.O.W. of 80 ft. left and 70 ft. right of center line;

Thence continuing along said curve to Engr. Sta. 116+00 with R.O.W. of 80 ft. left and 70 ft. right of center line;

Revised 12-21-83

Thence continuing along said curve to Engr. Sta. 117+00 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence continuing along said curve to the P.T. and Engr. Sta. 118+52.98 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 41°20'25" E to the P.C. and Engr. Sta. 125+12.59 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence along a curve to the left with a radius of 5729.578 ft. and a central angle of 08°01'29" to the P.T. and Engr. Sta. 133+15.06 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 33°18'56" E to the P.C. and Engr. Sta. 145+41.06 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence along a curve to the left with a radius of 5729.578 ft. and a central angle of 11°32'09" to Engr. Sta. 153+00.00 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence continuing along said curve to Engr. Sta. 154+00.00 with R.O.W. of 70 ft. left and 60 ft. right of center line;

Thence continuing along said curve to the P.T. and Engr. Sta. 156+94.64 with R.O.W. of 70 ft. left and 60 ft. right of center line;

Thence N 21°46'47" E to the P.C. and Engr. Sta. 157+46.88 with R.O.W. of 70 ft. left and 60 right of center line;

Thence along a curve to the right with a radius of 1762.947 ft. and a central angle of 22°27'38" to the P.T. and Engr. Sta. 164+37.97 with R.O.W. of 70 ft. left and 60 ft. right of center line;

Thence N 44°14'25" E to Engr. Sta. 168+00.00 with R.O.W. of 70 ft. left and 60 ft. right of center line;

Thence N 44°14'25" E to the P.C. and Engr. Sta. 169+00.29 with R.O.W. of 70 ft. left and 90 ft. right of center line;

Thence along a curve to the left with a radius of 1041.741 ft. and a central angle of 21°50'34" to Engr. Sta. 170+00.00 with R.O.W. of 50 ft. left and 90 ft. right of center line;

Thence continuing along said curve to Engr. Sta. 172+00.00 with R.O.W. of 50 ft. left and 90 ft. right of center line;

Thence continuing along said curve to the P.T. and Engr. Sta. 172+97.43 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Revised 12-21-83

Thence N 22°23'51" E to the P.C. and Engr. Sta. 175+49.64 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence along a curve to the right with a radius of 818.511 ft. and a central angle of 35°19'29" to the P.T. and Engr. Sta. 180+54.28 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 57°43'20" E to Engr. Sta. 184+00.00 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 57°43'20" E to Engr. Sta. 185+00.00 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence N 57°43'20" E to the P.C. and Engr. Sta. 186+87.04 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence along a curve to the left with a radius of 818.511 ft. and a central angle of 46°58'01" to the P.T. and Engr. Sta. 193+58.00 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence N 10°45'19" E to the P.C. and Engr. Sta. 194+24.65 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence along a curve to the right with a radius of 818.511 ft. and an central angle of 30°53'09" to Engr. Sta. 196+00 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence continuing along said curve to the P.T. and Engr. Sta. 198+65.88 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 41°38'28" E to the P.C. and Engr. Sta. 206+57.08 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence along a curve to the left with a radius of 1432.395 and a central angle of 18°51'16" to the P.T. and Engr. Sta. 211+28.44 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 22°47'12" E to the P.C. and Engr. Sta. 212+95.66 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence along a curve to the right with a radius of 818.515 ft. and a central angle of 47°41'34" to the P.T. and Engr. Sta. 219+76.99 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 70°28'46" E to the P.C. and Engr. Sta. 220+66.83 with R.O.W. of 50 ft. left and 70 ft right of center line;

Revised 12-21-83

Thence along a curve to the left with a radius of 2546.479 ft. and a central angle of 18°33'59" to Engr. Sta. 221+00.00 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence continuing along said curve to Engr. Sta. 222+00.00 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence continuing along said curve to the P.T. and Engr. Sta. 228+92.00 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 51°54'47" E to Engr. Sta. 231+00.00 with R.O.W. of 70 ft. left and 50 ft. right of center line;

Thence N 51°54'47" E to Engr. Sta. 235+65.70 with R.O.W. of 70 ft. left and 50 ft. right of center line;

Thence along a curve to the right with a radius of 818.511 ft. and a central angle of 26°08'42" to the P.T. and Engr. Sta. 239+39.20 with R.O.W. of 70 ft. left and 50 ft. right of center line;

Thence N 78°03'29" E to Engr. Sta. 240+00.00 with R.O.W. of 60 ft. left and 50 ft. right of center line;

Thence N 78°03'29" E to the P.C. and Engr. Sta. 243+18.61 with R.O.W. of 60 ft. left and 50 ft. right of center line;

Thence along a curve to the left with a radius of 1145.916 ft. and a central angle of 40°47'33" to Engr. Sta. 250+00.00 with R.O.W. of 60 ft. left and 50 ft. right of center line;

Thence continuing along said curve to the P.T. and Engr. Sta. 251+34.46 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 37°15'56" E to the P.C. and Engr. Sta. 253+49.54 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence along a curve to the right with a radius of 1909.859 ft. and a central angle of 22°05'38" to the P.T. and Engr. Sta. 260+86.00 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 59°21'34" E to the P.C. and Engr. Sta. 262+24.54 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence along a curve to the left with a radius of 996.448 ft. and a central angle of 43°50'33" to the P.T. and Engr. Sta. 269+87.02 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 15°31'01" E to the P.C. and Engr. Sta. 271+17.97 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Revised 12-21-83

Thence along a curve to the right with a radius of 818.511 ft. and a central angle of 44°05'59" to the P.T. and Engr. Sta. 277+47.97 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence N 59°37'00" E to the P.C. and Engr. Sta. 287+43.20 with R.O.W. of 50 ft. left and 50 ft. right of center line;

Thence along a curve to the right with a radius of 1432.395 ft. and a central angle of 20°56'59" to the P.T. and Engr. Sta. 292+66.94 with R.O.W. of 50 ft left and 50 ft. right of center line;

Thence N 80°33'59" E to the P.C. and Engr. Sta. 293+76.81 with R.O.W. of 70 ft. left and 70 ft. right of center line;

Thence along a curve to the left with a radius of 818.511 ft. and a central angle of 114°30'10" to the P.T. and Engr. Sta. 310+12.56 with R.O.W. of 70 ft. left and 70 ft. right of center line;

Thence N 33°56'11" W to the P.C. and Engr. Sta. 310+54.99 with R.O.W. of 50 ft. left and 70 ft right of center line;

Thence along a curve to the right with a radius of 818.511 ft. and a central angle of 74°14'37" to the P.T. and Engr. Sta. 321+15.61 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence N 40°18'26" E to Engr. Sta. 324+00 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence N 40°18'26" E to Engr. Sta. 325+00 with R.O.W. of 70 ft. left and 70 ft. right of center line;

Thence N 40°18'26" E to Engr. Sta. 327+00 with R.O.W. of 70 ft. left and 70 ft. right of center line;

Revised: 12-21-83

Thence N 40°18'26" E to Engr. Sta. 328+00.00 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence N40°18'26" E to the P.C. and Engr. Sta. 332+59.70 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence along a curve to the right with a radius of 818.511 ft. and a centarl angle of 19°06'49" to the P.T. and Engr. Sta. 335+32.75 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence N 59°25'15" E to the P.C. and Engr. Sta. 337+35.18 with R.O.W. of 70 ft. left and 50 ft. right of center line;

Thence along a curve to the left with a radius of 818.511 ft. and central angle of 60°30'51" to the P.T. and Engr. Sta. 345+99.67 with R.O.W. of 70 ft. left and 50 ft. right of center line;

Thence N 01°05'36" W to Engr. Sta. 347+00.00 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence N 01°05'36" W to the P.C. and Engr. Sta. 348+98.17 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence along a curve to the right with a radius of 1909.859 ft. and a central angle of 16°13'24" to the P.T. and Engr. Sta. 354+38.95 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence N 15°07'48" E to the P.C. and Engr. Sta. 355+42.83 with R.O.W. of 70 ft. left and 70 ft. right of center line;

Thence along a curve to the left with a radius of 818.511 ft. and a central angle of 50°32'07" to the P.T. and Engr. Sta. 362+64.77 with R.O.W. of 70 ft. left and 70 ft. right of center line;

Revised 12-21-83

Thence N 35°24'19" W to Engr. Sta. 364+00.00 with R.O.W. of 100 ft. left and 70 ft. right of center line;

Thence N 35°24'19" W to Engr. Sta. 367+00.00 with R.O.W. of 100 ft. left and 70 ft. right of center line;

Thence N 35°24'19" W to the P.C. and Engr. Sta. 368+96.27 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Thence along a curve to the right with a radius of 1145.916 ft. and a central angle of 5°11'19" to the P.T. and Engr. Sta. 370+00.00 with R.O.W. of 50 ft. left and 70 ft. right of center line;

Also being 660 ft. north of the south line of Section 27 Township 13S, Range 12E;

The entire route contains 82.65 acres.

Supporting documents:

4.7.1	Road Maintenance Agreement between Carbon County and Eureka November 27, 1979.
4.7.2	Assignment of maintenance agreement between Carbon County and SUNEDCO May 28, 1982.

All other surface areas to be affected by the operation described in the pending application are either owned by Applicant or are federal and state lands covered by the leases listed above.

Revised 11/3/86

SECTION II-D
RELATIONSHIP TO AREAS DESIGNATED UNSUITABLE FOR MINING
(782.16)

The Findings Document prepared by the U. S. Department of the Interior's Office of Surface Mining for the proposed project is presented on the following page:

Revised 11/3/86

MAR 20 1984

OSM
FINDINGS
SUNOCO ENERGY DEVELOPMENT COMPANY
SAGE POINT-DUGOUT CANYON MINE

Application for SMCRA Permit and Mining Plan Approval

I. The State of Utah has determined that the permit application package (PAP) submitted on December 17, 1980, and revised through January 4, 1984, is complete and accurate and the applicant has complied with the Utah State Program [UMC 786.19(a)]. OSM has determined that the PAP as revised through January 4, 1984, and the Federal permit with conditions is accurate and complete and complies with the requirements of the Utah State Program, the Surface Mining Control and Reclamation Act (SMCRA), and the Federal Lands Program [30 CFR 773.15(c)(1)]

II. The Utah Division of Oil, Gas and Mining (DOGM) has reviewed the PAP and prepared the technical analysis (TA). OSM has prepared the environmental analysis (EA) and reviewed the TA and incorporated documents and based on this has made the following findings:

1. The applicant proposes acceptable practices for the reclamation of disturbed lands. These reclamation practices have been shown to be effective in the short-term; there are no long-term reclamation records utilizing native species in the Western United States. Nevertheless, the DOGM staff has determined that reclamation, as required by the Act, can be feasibly accomplished under the reclamation plan contained in the PAP [UMC 786.191(b); TA, page 39, MRP pages II-303 to II-346]

   OSM has determined that issuance of a permit would be in compliance with section 522(b) of SMCRA.

2. The probable cumulative hydrologic impact assessment (PCHIA) of all existing and anticipated mining by underground coal mines in the general area has been completed. OSM finds that the surface facilities and underground mine operations proposed under the application have been designed to prevent damage to the hydrologic balance off-site. See Cumulative Hydrologic Impact section, attached to this Findings Document. [UMC 786.19(c); TA, page 17, 18; MRP pages II-63 to II-118]

3. After reviewing the description of the proposed initial SMCRA permit area, DOGM and OSM determine this area is:

   a. Not included within an area designated unsuitable for surface facilities and underground coal mining operations [UMC 786.19(d)(1)]

   b. Not on or within an area under study for designating lands unsuitable for surface coal mining operations. (See Bureau of Land Management correspondence of October 23, 1981 [UMC 786.19(d)(2)].

c. Not on any lands subject to the prohibitions or limitations of 30 CFR 761.11(a)(national parks, etc.), 761.11(f) (public buildings, etc.), and 761.11(g) (cemeteries). [UMC 786.19(d)(3)]

d. Within 100 feet of the outside right-of-way of a public road, however, the conditions of UMC 761.12(d) have been met. A public hearing was advertised for December 3, 1981. No adverse comments were received [UMC 786.19(d)(4); See State Findings Document]

e. Not within 300 feet of any occupied dwelling [UMC 786.19(d)(5); (See State Findings Document]

4. OSM's issuance of a SMCRA permit and the Secretarial decision on the mining plan are in compliance with the National Historic Preservation Act and implementing regulations (36 CFR 800). [UMC 786.19(e); TA Addendum, page 13; State Historic Preservation Officer concurrence letter of December 6, 1982]

5. The applicant has the legal right to enter and begin underground activities in the initial SMCRA permit area through four Federal leases and two fee leases. In addition, in response to an objection by OSM that the applicant did not have the right to construct certain structures on BLM surface within the permit area but off the coal lease area, federal surface lease U-5208 (740 acres) was assigned to Sunedco on January 3, 1984 by the Bureau of Land Management. [See MRP, pages I-26 through I-34; UMC 786.19(f)]

6. OSM's records confirm that all fees for the Abandoned Mine Reclamation Fund have been paid. [UMC 786.19(h); personal communication with John Sender, OSM Fee Compliance Officer, in OSM Albuquerque Field Office on February 14, 1984]

7. The applicant has submitted proof and OSM's records indicate that prior violations of applicable law and regulations have been corrected. [UMC 786.19(g); MRP, page I-25; personal communication with Jodi Merriman in OSM Albuquerque Field Office and Gene Filer, OSM Casper Field Office on February 16, 1984]

8. OSM records show that the applicant does not control and has not controlled mining operations with a demonstrated pattern of willful violations of the Act of such nature, duration, and with such resulting irreparable damage to the environment as to indicate an intent not to comply with the provisions of the Act. [UMC 786.19(i); personal communication with Jodi Merriman, in OSM Albuquerque Field Office and Gene Filer in the Casper Field Office on February 16, 1984]

9. Surface coal mining and reclamation operations to be performed under the permit will not be inconsistent with the Soldier Creek underground mine in the immediate vicinity of the Sage Point-Dugout Canyon Mine [UMC 786.19(j); and State findings]

10. There are no prime farmlands within the proposed mining plan and initial SMCRA permit areas.

11. Negative alluvial valley floor determinations have been made for the drainages in the proposed mining plan and initial SMCRA permit areas. These determinations were made on the basis of a field review of the proposed permit area and a technical review of the hydrologic data in the PAP. The only adjacent drainage determined to be an alluvial valley floor (AVF) is Soldier Creek and a determination has been made that this AVF would not be affected by mining activity within the initial SMCRA permit area. (See pp. 45-49 of the March 1983 TA, the January 1984 TA Supplement, and the State Findings Document.)

12. The proposed postmining land use of the permit area has been approved by the Utah Division of Oil, Gas and Mining, Bureau of Land Management and OSM [UMC 786.19(m); letter of concurrence from Bureau of Land Management; State findings, page 3].

13. The Utah Division of Oil, Gas and Mining and OSM have made all specific approvals required by the Act, the approved Utah State Program and the Federal Lands Program. [UMC 786.19(n); State findings, page 3].

14. The proposed operation will not affect the continued existence of threatened or endangered species or result in the destruction or adverse modification of their critical habitats. [UMC 786.19(o); TA, page 35; December 23, 1982 memorandum from U.S. Fish and Wildlife Service].

15. Procedures for public participation have complied with requirements of the Act, the approved Utah State Program, the Federal Lands Program, and Council on Environmental Quality regulations (40 CFR Part 1500 et seq.). (30 CFR 740.13(c)(3); Chronology of Events.)

16. The applicant has complied with all other requirements of applicable Federal laws and either has or has applied for permits from Environmental Protection Agency and State of Utah Department of Health and State of Utah Divison of Water Rights; [30 CFR 741.17(d); letters of concurrence and clearance are appended to the TA].

Richard E. Dawes
Acting Administrator
Western Technical Center

Headquarters Reviewing Officer

Revised 11/3/86

SECTION II-E
PERMIT TERM INFORMATION
(782.17)

Table II-E.1 presents the anticipated starting and termination dates of each phase of the underground mining activities as well as the anticipated number of acres of surface lands to be affected for each phase of mining over the total life of the mine and for the five-year term of permit. Map D03-0004 shows the location of each mining activity within the 4,474.90 acre five-year term of permit. The horizontal and vertical extent of proposed underground mine workings for each phase of mining is shown on Maps D03-0006 through D03-0008. Mining will be restricted to the reduced five-year permit and mine sequencing will be altered if necessary to accommodate this reduced area.

The Applicant proposes to operate the Sage Point-Dugout Canyon Project for 30 years and is requesting that a permit be issued for the first five years. Part III, Reclamation and Operation Plan, of this application presents information on the construction of surface facilities, mine operation and surface reclamation over the 30-year anticipated life of the Sage Point-Dugout Canyon Project.

During the five-year term of permit no mine-related activity will occur on the Soldier Creek alluvial valley floor. Also, sufficient water to irrigate this area will be available.

Table II-E.1
AFFECTED SURFACES FROM UNDERGROUND ACTIVITIES-CONSTRUCTION SCHEDULE
(Sheet 1 of 4)

Note: Year 1 is assumed to be 1988.
Year 2 is assumed to be 1989.
Year 3 is assumed to be 1990.
Year 4 is assumed to be 1991.
Year 5 is assumed to be 1992.

UNDERGROUND MINING ACTIVITIES	Anticipated Starting Date Month	Anticipated Starting Date Year	Termination Date Month	Termination Date Year	Anticipated Acres Land To Be Affected
1. ROADS					
Fish Creek Ridge Road	Mar	6	Oct	6	26.0
Soldier Creek to central facilities	Mar	6	Oct	6	10.9
Waste disposal-preparation plant	Apr	7	Jul	7	8.4
Coal truck dump & ancillaries	Apr	6	Aug	6	1.5
Solid rock disposal at Fish Creek	May	7	Aug	7	7.8
*Rock fill at Dugout Creek	Mar	1	Nov	1	(Included in site area)
Fish Creek Canyon fan	Mar	8	May	8	3.1
Anderson Reservoir	Apr	6	Jul	6	3.3
*Dugout Canyon Reservoir	Apr	2	Jul	2	1.7
*Sewage Lagoon	Mar	5	May	5	0.7
SUB-TOTAL					63.4
2. RAILROAD SPUR	Apr	6	Oct	7	6.7
3. OVERLAND CONVEYOR & PIPELINE					
Dugout to central facilities	Sep	6	Aug	7	5.5
Fish Creek to Dugout belt	Apr	9	Oct	9	2.5
Waste disposal overl. conveyor	Apr	10	Sep	10	1.1
SUB-TOTAL					9.1

Revised 11/3/86

Table II-E.1
AFFECTED SURFACES FROM UNDERGROUND ACTIVITIES-CONSTRUCTION SCHEDULE
(Sheet 2 of 4)

UNDERGROUND MINING ACTIVITIES	Anticipated Starting Date Month	Anticipated Starting Date Year	Termination Date Month	Termination Date Year	Anticipated Acres Land To Be Affected
4. RESERVOIRS					
Anderson Reservoir	Apr	6	Sep	7	42.6
*Dugout Canyon Reservoir	Apr	2	Nov	2	22.9
SUB-TOTAL					65.5
5. DIVERSION					
*Dugout Creek to Dugout Reservoir	Jul	2	Oct	2	1.5
SUB-TOTAL					1.5
6. PIPELINE FOR INDUSTRIAL WATER					
Anderson to central facilities	Oct	6	Jun	7	4.0
Central facilities to Fish Creek Portal Area	Apr	8	Aug	8	0.0
Central Facilities to *Dugout Reservoir and Dugout Canyon Postal Area	Aug	2	Feb	3	0.6
SUB-TOTAL					4.6
7. SEWAGE PIPELINE					
Fish Creek to Lagoon	Apr	8	Aug	8	(In same trench as water pipeline)
*Dugout to Lagoon	Aug	5	Feb	6	
8. *SEWAGE LAGOON	Apr	5	Aug	5	10.6

Table II-E.1
AFFECTED SURFACES FROM UNDERGROUND ACTIVITIES-CONSTRUCTION SCHEDULE
(Sheet 3 of 4)

UNDERGROUND MINING ACTIVITIES	Anticipated Starting Date Month	Anticipated Starting Date Year	Termination Date Month	Termination Date Year	Anticipated Acres Land To Be Affected
9. WASTE DISPOSAL					
Prep. plant waste	Sep	7	cont. 40 yr.		189.2
Fish Creek rock disposal	Aug	8	cont. 40 yr.		10.6
*Dugout rock disposal	Aug	1	cont. 40 yr.		6.8
SUB-TOTAL					206.6
10. TOPSOIL STOCKPILES					
Central facilities & Roads, R.R.	Apr	6	Jul	8	6.0
Fish Creek	Mar	8	Jul	10	1.7
*Dugout Creek	Apr	1	May	3	1.5
Anderson Dam	Apr	6	Apr	7	7.1
SUB-TOTAL					16.3
11. CENTRAL FACILITIES					
Administration office, park, shop	May	6	Nov	6	8.2
Prep. plant, parking, coal handling	Apr	6	Nov	8	36.6
SUB-TOTAL					44.8
12. MINE FACILITIES					
Fish Creek Mine Complex	Apr	8	May	9	19.7
*Dugout Mine complex	Apr	1	May	2	24.5
SUB-TOTAL					44.2

Table II-E.1
AFFECTED SURFACES FROM UNDERGROUND ACTIVITIES-CONSTRUCTION SCHEDULE
(Sheet 4 of 4)

UNDERGROUND MINING ACTIVITIES	Anticipated Starting Date Month	Anticipated Starting Date Year	Termination Date Month	Termination Date Year	Anticipated Acres Land To Be Affected
13. FAN FACILITIES & AIR SHAFTS					
Fish Creek Canyon fan site	Jun	9	Aug	9	.2
Pace Canyon fan site	Apr	12	Sep	12	3.5
SUB-TOTAL					3.7
	TOTAL				477.0

*Activities to be completed during the 5-year term permit will impact 70.3 acres.

SECTION II-F
PERSONAL INJURY AND PROPERTY
DAMAGE INFORMATION
(782.18)

The certificate of liability insurance with the Applicant listed as the insured is in effect until canceled.

Revised 11/3/86

RESET TAB STOPS AT ARROWS

Certificate of Insurance

ord

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW.

AND ADDRESS OF AGENCY

[illegible]

AND ADDRESS OF INSURED

[illegible] Including Sunoco Energy Development Co.

[illegible]

COMPANIES AFFORDING COVERAGES

COMPANY LETTER	A
COMPANY LETTER	B
COMPANY LETTER	C
COMPANY LETTER	D
COMPANY LETTER	E

S to certify that policies of insurance listed below have been issued to the insured named above and are in force at this time. Notwithstanding any requirement, term or condition r, contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the s exclusions and conditions of such policies.

LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EXPIRATION DATE	Limits of Liability in Thousands (000)	EACH OCCURRENCE	AGGREGATE
	GENERAL LIABILITY			BODILY INJURY	$	$
	☐ COMPREHENSIVE FORM			PROPERTY DAMAGE	$	$
	☐ PREMISES—OPERATIONS					
	☐ EXPLOSION AND COLLAPSE HAZARD					
	☐ UNDERGROUND HAZARD	[illegible]	[illegible]	BODILY INJURY AND PROPERTY DAMAGE COMBINED	$ 2,500	$
	☐ PRODUCTS/COMPLETED OPERATIONS HAZARD					
	☐ CONTRACTUAL INSURANCE		[illegible]			
	☒ BROAD FORM PROPERTY DAMAGE					
	☐ INDEPENDENT CONTRACTORS		[illegible]			
	☐ PERSONAL INJURY			PERSONAL INJURY		$
	AUTOMOBILE LIABILITY			BODILY INJURY (EACH PERSON)	$	
	☐ COMPREHENSIVE FORM			BODILY INJURY (EACH ACCIDENT)	$	
	☒ OWNED			PROPERTY DAMAGE	$	
	☐ HIRED	[illegible]	[illegible]	BODILY INJURY AND PROPERTY DAMAGE COMBINED	$2,500	
	☐ NON-OWNED		[illegible]			
	EXCESS LIABILITY			BODILY INJURY AND PROPERTY DAMAGE COMBINED	$	$
	☐ UMBRELLA FORM					
	☐ OTHER THAN UMBRELLA FORM					
	WORKERS' COMPENSATION and EMPLOYERS' LIABILITY	[illegible]	[illegible]	STATUTORY		
					$ 500	(EACH ACCIDENT)
	OTHER					

CRIPTION OF OPERATIONS/LOCATIONS/VEHICLES

Sage Point/Dugout Canyon Project

Cancellation: Should any of the above described policies be cancelled or substantially changed before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the below named certificate holder. ~~but failure to mail such notice shall impose no obligation or liability of any kind upon the company.~~

NAME AND ADDRESS OF CERTIFICATE HOLDER:

U. S. Department of Interior
Office of Surface Mining
Brooks Towers
1020 Fifteenth St.
Denver, Colorato 20202

DATE ISSUED May 27, 1982

AUTHORIZED REPRESENTATIVE

18 JAN 1983

25 (1-79)

Certificate of Insurance

ACORD

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW.

NAME AND ADDRESS OF AGENCY	COMPANIES AFFORDING COVERAGES
[illegible]	COMPANY LETTER A [illegible]
	COMPANY LETTER B
NAME AND ADDRESS OF INSURED	COMPANY LETTER C
[illegible] Including Sunoco Energy Development Co.	COMPANY LETTER D
[illegible]	COMPANY LETTER E

This is to certify that policies of insurance listed below have been issued to the insured named above and are in force at this time. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.

CO. LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EXPIRATION DATE	Limits of Liability in Thousands (000)	EACH OCCURRENCE	AGGREGATE
	GENERAL LIABILITY ☐ COMPREHENSIVE FORM ☐ PREMISES—OPERATIONS ☐ EXPLOSION AND COLLAPSE HAZARD ☐ UNDERGROUND HAZARD ☐ PRODUCTS/COMPLETED OPERATIONS HAZARD ☐ CONTRACTUAL INSURANCE ☒ BROAD FORM PROPERTY DAMAGE ☐ INDEPENDENT CONTRACTORS ☐ PERSONAL INJURY	[illegible] 24	[illegible] Until Cancelled	BODILY INJURY	$	$
				PROPERTY DAMAGE	$	$
				BODILY INJURY AND PROPERTY DAMAGE COMBINED	$ 2,500	$
				PERSONAL INJURY		$
	AUTOMOBILE LIABILITY ☐ COMPREHENSIVE FORM ☒ OWNED ☐ HIRED ☐ NON-OWNED	[illegible]	[illegible] Until Cancelled	BODILY INJURY (EACH PERSON)	$	
				BODILY INJURY (EACH ACCIDENT)	$	
				PROPERTY DAMAGE	$	
				BODILY INJURY AND PROPERTY DAMAGE COMBINED	$ 2,500	
	EXCESS LIABILITY ☐ UMBRELLA FORM ☐ OTHER THAN UMBRELLA FORM			BODILY INJURY AND PROPERTY DAMAGE COMBINED	$	$
	WORKERS' COMPENSATION and EMPLOYERS' LIABILITY	FTC 31[illegible]	[illegible] Until Cancelled	STATUTORY		
					$ 500 (EACH ACCIDENT)	
	OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES

Sage Point/Dugout Canyon Project

Cancellation: Should any of the above described policies be cancelled or substantially changed before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the below named certificate holder. ~~xxxxxxxx xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~

NAME AND ADDRESS OF CERTIFICATE HOLDER:

Utah Division of Oil, Gas and Mining
1588 West North Temple
Salt Lake City, Utah 84116

DATE ISSUED: May 27, 1982

AUTHORIZED REPRESENTATIVE

18 JAN 1983

ACORD 25 (1-79)

SECTION II-G
IDENTIFICATION OF OTHER LICENSES AND PERMITS
(782.19)

Table II-G.1 lists all licenses and permits which are needed by the Applicant to conduct underground mining activities at the proposed Sage Point-Dugout Canyon Project. The Applicant has been informed by Carbon County that no land use or other local permits, except for standard building permits, will be required. The addresses of the government agencies listed in Table II-G.1 are the following:

Utah Division of Oil, Gas and Mining (DOGM)
4241 State Office Building
Salt Lake City, UT 84114

Office of Surface Mining (OSM)
Brooks Towers
1020 15th Street
Denver, CO 80202

U. S. Environmental Protection Agency
Region VIII
1860 Lincoln Street
Denver, CO 80295

U. S. Corps of Engineers
650 Capitol Mall
Sacramento, CA 95814

U. S. Geological Survey
1745 West 1700 South
Salt Lake City, UT 84104

U. S. Bureau of Land Management
P. O. Drawer AB
Price, UT 84501

Utah State Engineer
231 East 400 South
Salt Lake City, UT 84111

Utah Division of Environmental Health
P. O. Box 2500
Salt Lake City, UT 84110

The Applicant is cognizant of the terms, conditions and requirements of each and presently is and will continue to execute all due diligence to remain in full compliance. To assure compliance and to detect deficiencies, the Applicant will maintain all required monitoring equipment and surveillance measures mandated by the applicable licenses or permits. Moreover, all reporting requirements for data from such monitoring and surveillance sources will be reported in a timely manner to the appropriate regulatory authority. Copies of the U. S. Bureau of Land Management's rights-of-way approvals will be submitted to the regulatory agency upon receipt.

TABLE II-G.1

List of Federal, State and Local Agencies
Whose Substantive Standards, Ordinances, and Laws
Are Applicable to Sage Point-Dugout Canyon Project

Agency	Permit/License	Date of Application	Date of Issuance
Office of Surface Mining Div. of Oil, Gas & Mining	Surface Mining and Reclamation Permit	12/80	
U. S. Environmental Protection Agency (Denver, CO)	Prevention of Significant Deterioration Permit (PSD) 8 AH-A	8/78	12/79
U. S. Environmental Protection Agency (Denver, CO)	National Pollutant Discharge Elimination System (NPDES) UT-0624031	12/80	12/82
U. S. Environmental Protection Agency (Denver, CO)	Spill Prevention Control and Counter measure Plan (SPCC)	SPCC Plan must be prepared and operational. Approval is not required.	
U. S. Corps of Engineers	Division Review on Soldier Creek only	1/81	12/81
Federal Task Force	Environmental Statement	10/76	7/79
Bureau of Alcohol, Tabacco & Firearms	Explosives		
State Engineer (Utah)	Dam Design Review	1/81	
State Engineer (Utah)	Diversions		
State Engineer (Utah)	Water Right Segregation		
State Engineer (Utah)	Alter Natural Stream		
Division of Environmental Health (Utah)	Approval Order (Air Quality)	8/78	12/78
Division of Environmental Health (Utah)	Approval Order (Culinary Water, Waste-Water & Solid Waste Disposal Site Facilities)	1/81	
Division of Environmental Health (Utah)	Construction Permit for Sedimentation Ponds	12/80	12/82

Revised 11/3/86

Agency	Permit/License	Date of Application	Date of Issuance
Department of Transportation (Utah)	State Highway Crossing or Entrance		
Division of State Lands and Forestry	State Land Use 526	1/81	12/81
Division of State Lands and Forestry	Road ROW 2099	1/81	6/81
Carbon County	Zoning (CE-2)	9/82	10/82
Carbon County	Reservoir & Dams		
Carbon County	Water Treatment, Water Distribution, Sewage Treatment		
Carbon County	Site plan		
Carbon County	Socioeconomic		
Carbon County	Transmission (138 kv capacity) and Railroads		
Carbon County	Water Rights		
Carbon County	Building Permit Mine Loadout Facilities		
Carbon County	Business License	6/82	7/82
Carbon County	Road Opening Permit		

1. This list is not to be interpreted as final and all-inclusive.

Revised 11/3/86

The Applicant reserves the right to change the above design criteria according to the regulations current at the time the final designs are submitted to the regulatory authority. All culverts shall discharge onto a protected riprap surface to prevent scouring and erosion.

4.1.4 MINING ACTIVITIES ADJACENT TO A PUBLIC RIGHT-OF-WAY

None of the planned underground mining activities will be within 100 feet of the right-of-way line of any public road. Access roads will join the terminus of the public roads and extend to the mine portals; roads in the portal areas themselves will be restricted to mine personnel and official visitors. These roads will not be open for use by the general public. However, since some surface activities will be conducted within 100 feet of a public road, such as installing water pipelines, a public hearing may be required.

Outlet pipes will be protected with riprap in an energy dissipator at the downstream end.

5.1.4.4 INTAKE STRUCTURES

Intake structures for pipeline systems at Anderson and Dugout Reservoirs will be similar to the outlet structures discussed in the preceding sections. The slide gate inlet will be on the upstream dam face at an elevation equal to the upper limit of "dead" storage (sedimentation). The inlet will have a trashrack and will be the entrance to a pipe with a diameter of approximately 12 inches at Anderson and 8 inches at Dugout. The pipes will discharge to the pump station.

5.2 DIVERSIONS (784.22)

Diversions will serve two primary functions in the project area. Diversions of streamflow will carry water from streams to either a reservoir or into pipes which will empty into a reservoir. Diversions of overland flow will carry water around disturbed areas to minimize erosion and to reduce the capacity requirements for sedimentation ponds. All diversions shall discharge onto a protected riprap surface to prevent scouring.

5.2.1 STREAM DIVERSIONS

The proposed project will include two stream diversions. These diversions will divert water from Soldier Creek and Dugout Creek at the locations shown on Maps D03-0021 and D03-0022, respectively.

6. SUBSIDENCE CONTROL PLAN (784.20)

6.1 SURFACE FEATURES AND FACILITIES SUBJECT TO SUBSIDENCE

A limited number of surface facilities and renewable resource lands are located in the area where subsidence may be expected to occur. A survey of these areas, which include the area overlying the proposed mine and lands adjacent to that area, has identified those features and facilities that could be adversely affected by subsidence. If due to mining a slide or surface failure occurs during operations the applicant will notify the regulator agency. Should any surficial damage or factures become apparent that may constitute a hazard, subsidence prevention plans will be updated and submitted to the Regulatory Authority for review and approval.

Each owner of property or resident within the area above an underground mining block and adjacent area that could be affected by subsidence if it occurred will be notified by mail at least six months prior to mining. The notification shall contain:

a. Identification of specific areas in which mining will take place;

b. Dates of underground operations that could cause subsidence and affect specific structures; and

c. Measures to be taken to prevent or control adverse surface effects.

6.1.1 GRAZING LANDS

The majority of the area subject to subsidence is currently used for low-intensity grazing of cattle. Steep slopes and cliff areas are not grazed; they are not used for the development of any resources at this time. Subsidence should have no effect on grazing, which is expected to continue during mining operations. No other renewable resources exist in this area.

6.1.2 RECREATIONAL LANDS

The only recreational use of the subsidence area is deer hunting. Since game fish do not occupy any of the streams in the permit area, fishing does not occur. Subsidence should have no effect on any recreational use of the area.

6.1.3 EXISTING STRUCTURES

The only existing structure in the subsidence area is a natural gas pipeline owned by the Mountain Fuels Supply Company. The pipeline is presently in use and will continue to operate during mining. The subsidence control plan has been designed so as to prevent any damage to the pipeline (see Measures to Prevent Subsidence).

At least one year prior to initiation of mining under the pipeline the applicant will provide to the regulatory authority a letter stating that the Mountain Fuel Supply Company has been made aware of potential subsidence under their pipeline.

6.1.4 ROADS

A single, dirt road passes through the subsidence area. This road, which is part of Soldier Creek Road, is used only occasionally by deer hunters and ranchers. Subsidence should not result in any damage to the road; however, if damage does occur, it would be slight and easily repaired.

6.1.5 STREAMS

Streams in the project area are described in detail in Section IV-B.3, Surface Water. The nature of subsidence resulting from the proposed mine plan should not significantly affect any streams. Surface fracturing should be limited or non-existent, and any fractures would be shallow and readily filled. Monitoring stations will be established to monitor subsidence in the vicinity of Pine Creek, the only stream likely to experience measurable subsidence.

6. SUBSIDENCE CONTROL PLAN (784.20)

6.1 SURFACE FEATURES AND FACILITIES SUBJECT TO SUBSIDENCE

A limited number of surface facilities and renewable resource lands are located in the area where subsidence may be expected to occur. A survey of these areas, which include the area overlying the proposed mine and lands adjacent to that area, has identified those features and facilities that could be adversely affected by subsidence. If due to mining a slide or surface failure occurs during operations the applicant will notify the regulator agency. Should any surficial damage or factures become apparent that may constitute a hazard, subsidence prevention plans will be updated and submitted to the Regulatory Authority for review and approval.

Each owner of property or resident within the area above an underground mining block and adjacent area that could be affected by subsidence if it occurred will be notified by mail at least six months prior to mining. The notification shall contain:

a. Identification of specific areas in which mining will take place;

b. Dates of underground operations that could cause subsidence and affect specific structures; and

c. Measures to be taken to prevent or control adverse surface effects.

6.1.1 GRAZING LANDS

The majority of the area subject to subsidence is currently used for low-intensity grazing of cattle. Steep slopes and cliff areas are not grazed; they are not used for the development of any resources at this time. Subsidence should have no effect on grazing, which is expected to continue during mining operations. No other renewable resources exist in this area.

6.1.2 RECREATIONAL LANDS

The only recreational use of the subsidence area is deer hunting. Since game fish do not occupy any of the streams in the permit area, fishing does not occur. Subsidence should have no effect on any recreational use of the area.